

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5841 of 2022

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Upendra Prasad Singh S/o Late Ayodhya Prasad Singh, R/o Village Salempur,
P.S. Bena, District Nalanda at present R/o Krishna Nagar, Phulwari, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
3. That Additional Secretary, Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
4. The Joint Secretary, Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
5. The Deputy Secretary, Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Patna.
6. The Additional Secretary, Finance Department, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Respondent/s : Mr.Amit Prakash (GA-13)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2023 The present writ petition has been filed
seeking the following relief:-

“1. That by this application, the petitioner is invoking the writ jurisdiction of this Hon'ble Court for a direction to the respondent authorities to grant ACP to the petitioner whose services has been regularized by the notification dated 12.9.2016 contained in Memo No.8943 (Bha) issued by the Joint Secretary, Building Construction Department, Bihar, Patna, as others



similarly situated Assistant Engineers have been granted the reliefs as prayed by the petitioner.”

2. At the outset, the learned counsel for the respondent-State has referred to the counter affidavit filed in the present case and has submitted that the claim of the petitioner has already been rejected by an order dated 09.05.2022 passed by the Deputy Secretary to the Government, Building Construction Department, Government of Bihar, Patna, hence in case the petitioner is aggrieved, he may take recourse to such remedies as are otherwise available under the law.

3. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to avail appropriate remedies for assailing the aforesaid order dated 09.05.2022. Liberty, so sought, is granted.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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